

Following a discussion with Applicant's representative (Rodney DeKruif) on April 28<sup>th</sup>, 2010, the following proposed amendments were prepared in order to facilitate a dialogue with Applicant's representative such that application serial No. 10/577352 could be put in condition for allowance. The proposed amendments to the claims that follow are merely proposed and unofficial. The changes would only be entered into the instant application upon approval from Applicant's representative. Furthermore, for the changes set forth below, the examiner has included italicized text after the changes. The italicized text is merely an explanation of the proposed change and would not be part of the formal examiner's amendment.

Should Applicant's representative wish to discuss the rationale behind any of the changes made below or any further matters, the examiner (Matthew P. Coughlin) may be contacted at 571-270-1311.

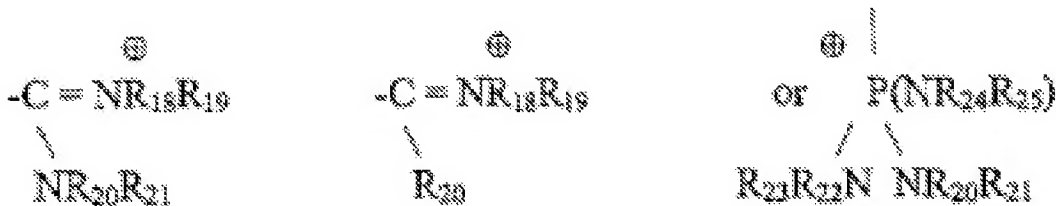
The following changes are believed to place the case in condition for allowance:

Claim 56: In the first two lines of the claim, replace "A compound or salt" with "A compound or a salt consisting of an anion and cation". (*This amendment*

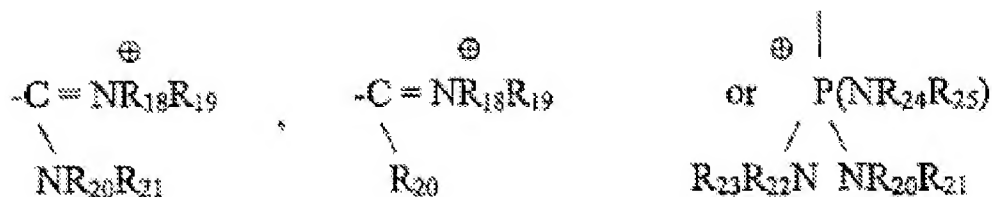
*provides antecedent basis for the limitation of “the cation” in line 2. Written description support for this language can be found on page 12 of the specification, paragraph [0025])*

In the paragraph beginning “R14 is a positively...”, Insert “lower arylalkyl carbonyl,” between “lower alkyl carbonyl,” and “aryl carbonyl”. *(Note that in claim 63, R14 can be “lower arylalkyl carbonyl,” however, claim 56 does not provide for R14 to be “lower arylalkyl carbonyl.” Therefore, this amendment is needed so that claim 63 does not fail to further limit. Written description support is in claim 63 where R14 can be lower arylalkyl carbonyl with no other variables limited.)*

Claim 58: Replace the following diagram:



With the following diagram:



*(A comma has been added between the first two structures. This is a formatting change.)*

Claim 59: In the last two lines of the claim, replace “wherein R<sub>19</sub>, R<sub>20</sub>, and R<sub>21</sub>, R<sub>24</sub> and R<sub>25</sub>” with “wherein R<sub>19</sub>, R<sub>21</sub>, R<sub>24</sub> and R<sub>25</sub>”. *(The reference to R<sub>20</sub> has been deleted since there’s no available R<sub>20</sub> in the claim anymore, and the first instance of the word “and” has been deleted.)*

Replace the following two lines:

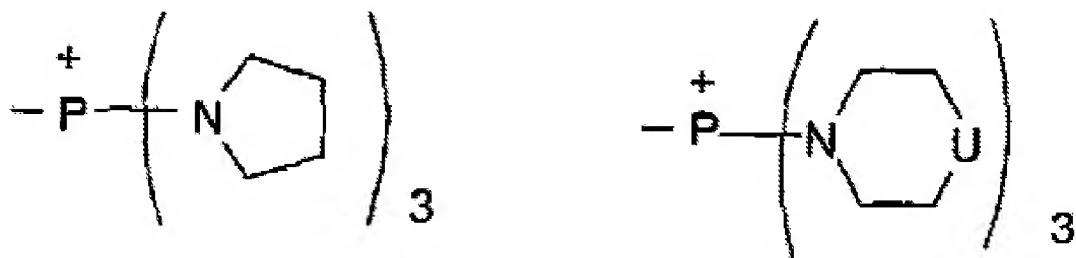


With the following two lines:

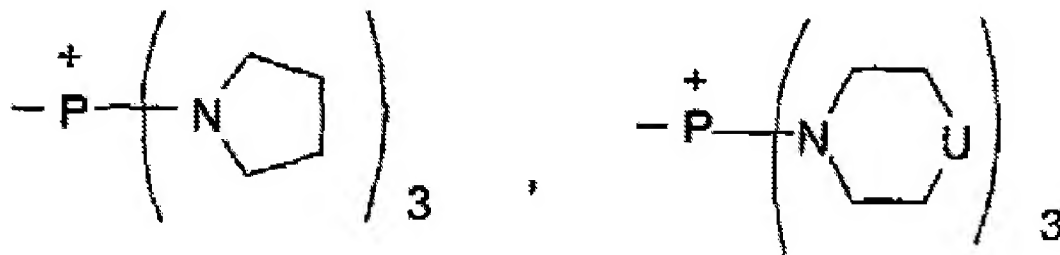


*(The plus charge has been moved so that it is clear that the positive charge belongs with the phosphorus moiety.)*

Claim 63: Replace the following diagram:



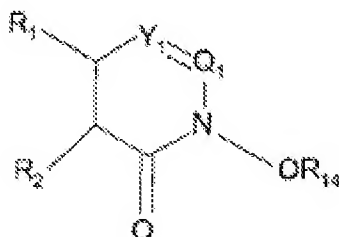
With the following diagram:



*(A comma has been added between the two structures. This is merely a formatting change.)*

Claim 65: Amend to read as follows:

“A compound or a salt consisting of an anion and cation,  
wherein the compound or the cation of the salt is of the formula



wherein

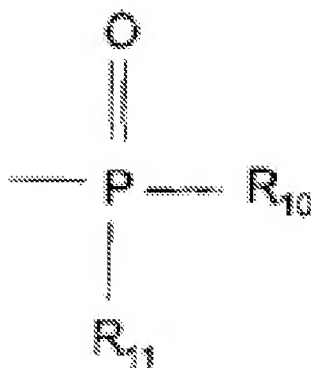
R<sub>1</sub> and R<sub>2</sub> taken together with the carbon atoms to which  
they are attached form a pyridyl ring, said pyridyl ring may be  
unsubstituted or substituted with a lower alkyl group or an  
electron donating group;

Y is N;

Q<sub>1</sub> is CR<sub>16</sub>;

R<sub>16</sub> is H or lower alkyl;

R<sub>14</sub> is



$R_{10}$  is  $OR_{12}$ , lower alkyl, aryl, or aryl lower alkyl;

$R_{11}$  is  $OR_{13}$ , lower alkyl, aryl, or aryl lower alkyl;

and  $R_{10}$  and  $R_{11}$  may optionally be connected by a bridging

group selected from the consisting of O, S, NH, and

$(CH_2)_m$ ;

$m$  is 1-3; and

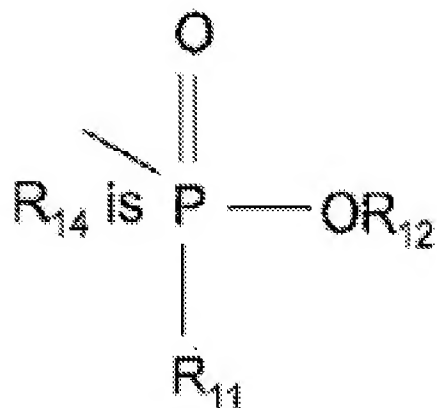
$R_{12}$  and  $R_{13}$  are independently lower alkyl, aryl, or aryl lower alkyl.

*(This amendment to claim 65 is a conversion to*

*independent form since claim 56 does not cover  $R_{12}$  and*

*$R_{13}$  being aryl or aryl lower alkyl. )*

Claim 67: The diagram in this claim should be replaced with the following diagram:



*(It appears that the amendment to the structure in claim 67 dated 02/25/2010 makes this change; however, the examiner will include this amendment so that the change is clear for the printer.)*

Claim 68: At the end of the claim but before the period at the following new line: "wherein R<sub>1</sub>, R<sub>2</sub>, Q<sub>1</sub> and R<sub>14</sub> are as defined in claim 56". (*This amendment ensures that claim 68 is not failing to further limit.*)

**Claim 70:** In the first line of the claim, replace “The compound according to Claim 56 wherein” with “A compound or a salt consisting of an anion and cation, wherein” (*This amendment is a conversion to independent form since claim 56 does not cover R25, R26, or R27 forming an aryl ring. Furthermore, the claim has been amended to recite “a salt consisting of an anion and cation” similarly to claim 56 so that antecedent basis is present for the limitation of “the cation” in line 2 of claim 70.*)

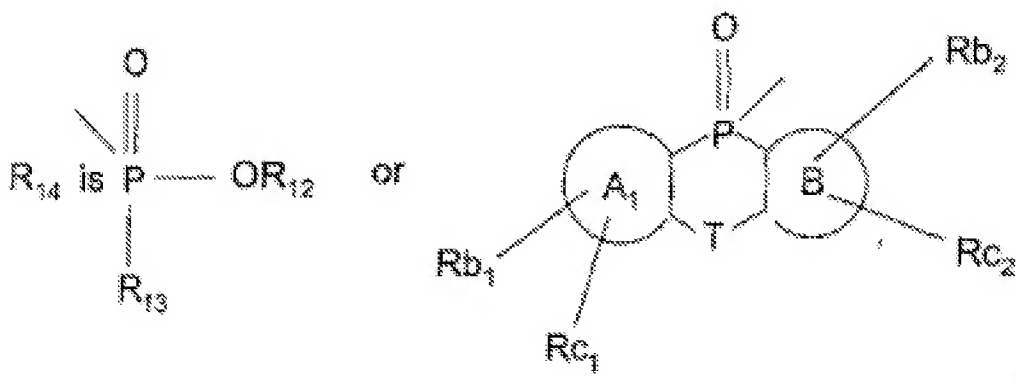
**Claim 73:** At the end of the claim but before the period add “containing 6 to 14 ring carbon atoms”. (*Please see the fourth to last paragraph of claim 72 that defines the ring A1 and B. Claim 72 sets forth that ring A1 and B may independently be “an aromatic ring containing 6 to 14 ring carbon atoms”. This amendment is needed so that claim 73 does fail to further*



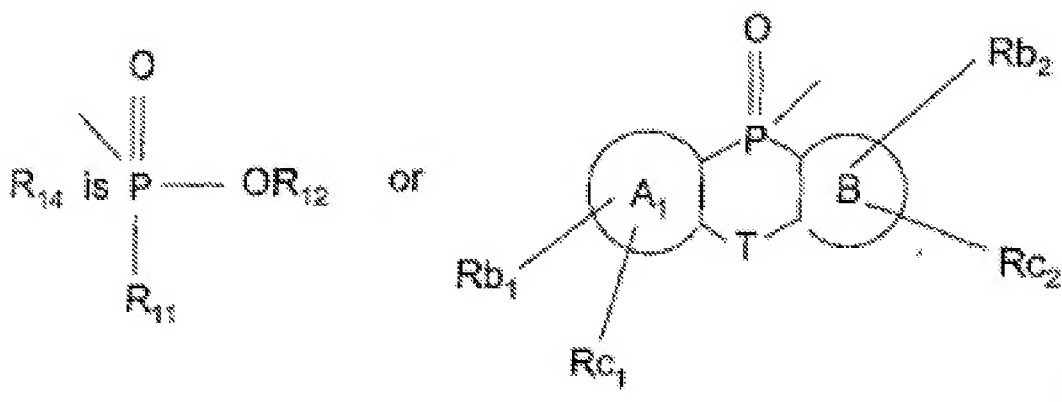
*limit by covering aromatic rings that have less than 6 or more than 14 ring carbon atoms.)*

Claim 74: Replace “wherein R<sub>12</sub>, R<sub>13</sub>” with “wherein R<sub>12</sub>, R<sub>11</sub>”. (*See next note for explanation.*)

Replace the following diagram:



With the following diagram:

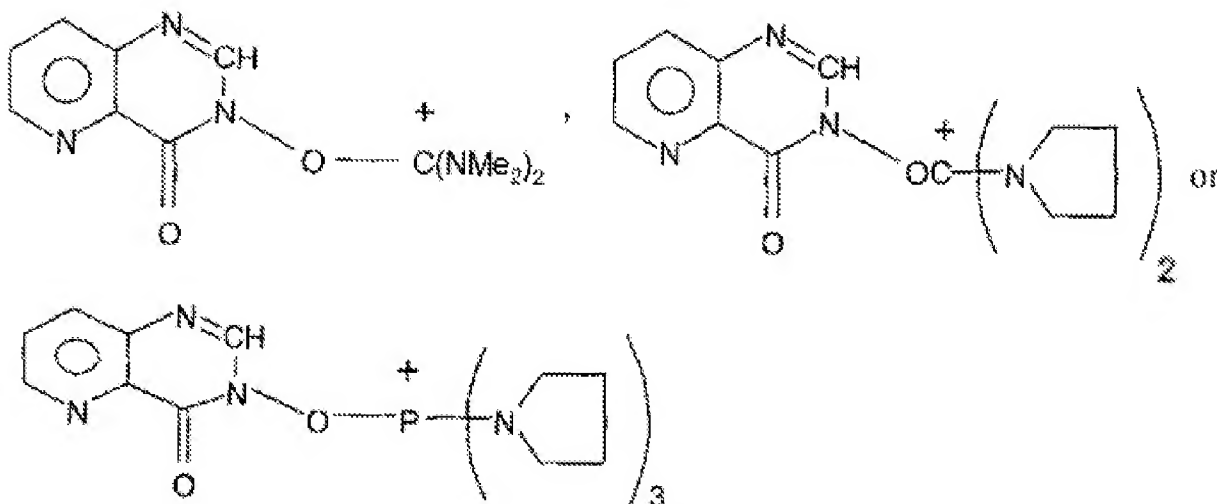


*(Note: The difference is the variable bound directly to phosphorus on the left-hand structure. The reference to said*

*variable in the text of the claim has also been changed above. The scope has not been changed, but the amended diagram is more consistent with the parent claim since the parent claim uses R11 to define this position whereas R13 is used to define a structurally distinct position in the parent claim.)*

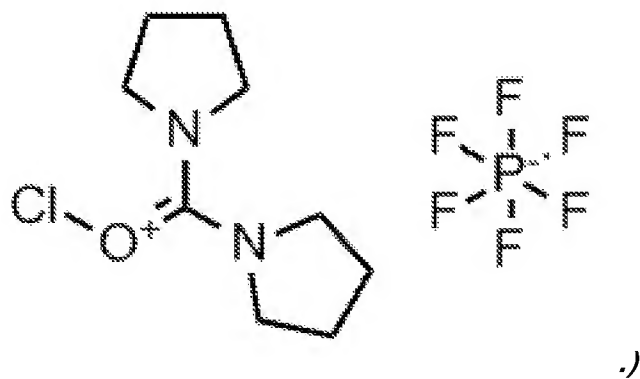
**Claim 75: Amend to read as follows:**

The compound according to Claim 56 wherein the compound is a salt, the cation of which has the formula



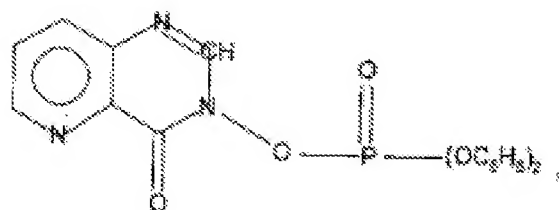
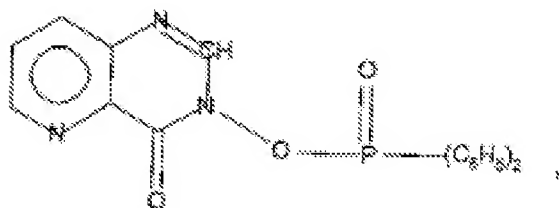
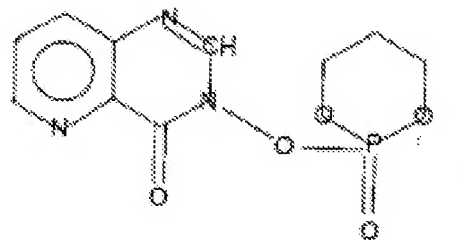
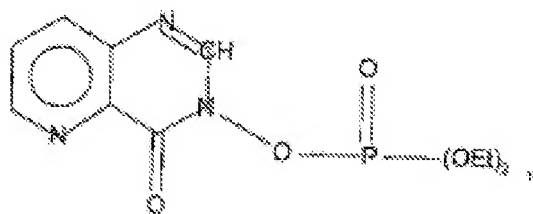
*(A comma has been moved from the left side of first structure to the right side. In addition, a bracket and subscript of 2 has been added to the pyrrolidine ring in the second listed species. The examiner believes the bracket*

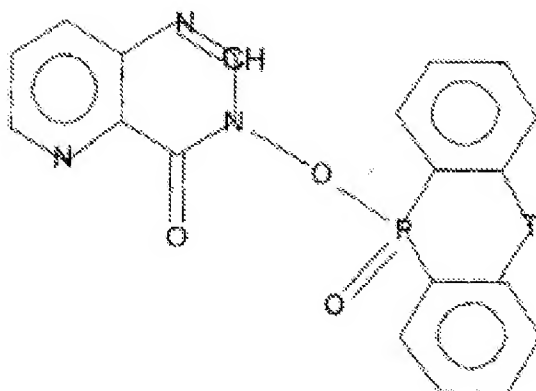
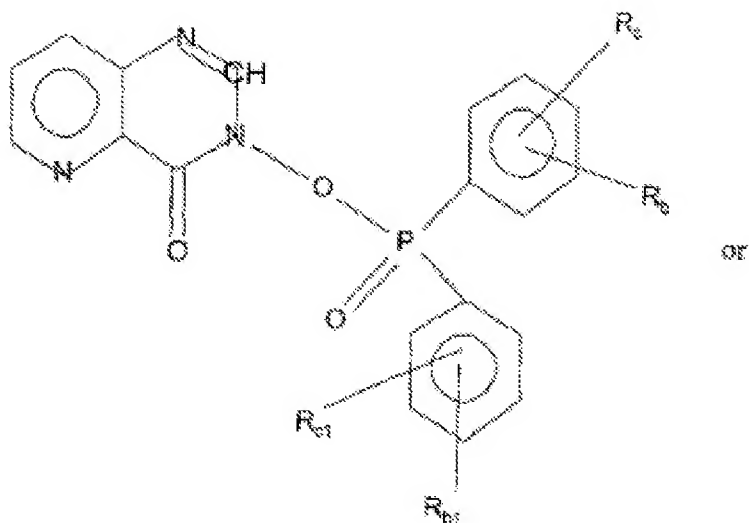
and subscript were inadvertently omitted since the original species has an improper valence on carbon. For support, see example 11 on page 77 which has the bis(tetramethylene)uronium group that is drawn above, and in the list of reagents on page 62, "TCFH" (line 8) is the reagent used to generate the first species instantly listed above and "PyClu" (line 9) is the reagent that would be needed to generate the second species as drawn above and has the following structure:



**Claim 76: Amend to read as follows:**

The compound according to Claim 56 wherein the compound has the formula





wherein  $R_6$ ,  $R_8$ ,  $R_9$  are independently lower alkyl or hydrogen and T is  $\text{CH}_2$ ,  $\text{NH}$ ,  $\text{O}$  or  $\text{S}$ .

*(It's not clear if certain strikethroughs of the amendment dated 02/25/2010 delete commas or not so the instant amendment clarifies it for the printer. In addition, there was a comma and the word "or" separating the last two species. As a formatting issue, the comma has been deleted.)*

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